

Amendments to Senate Bill No. 346
1st Reading Copy

Requested by Senator David Wanzenried

For the Senate Judiciary Committee

Prepared by Susan Byorth Fox
February 23, 2007 (9:17am)

1. Title, line 4 through line 5.

Strike: "A PERSON WHO"

Insert: "PUBLIC"

Following: "CONTRACTS"

Strike: remainder of line 4 through "ILLEGAL" on line 5

Insert: "AND SUBCONTRACTS WITH A PERSON WHO KNOWINGLY EMPLOYS OR
CONTRACTS WITH AN UNAUTHORIZED"

2. Title, line 6.

Strike: "ILLEGAL"

Insert: "UNAUTHORIZED"

3. Page 1, line 9 through line 10.

Following: "that"

Strike: remainder of line 9 through "illegal" on line 10

Insert: "an employer is prohibited from employing an
unauthorized"

4. Page 1, line 11 through line 21.

Strike: line 11 through line 21 in their entirety

Insert: "WHEREAS, public agencies should take reasonable means
to require those with whom they contract and subcontract to
comply with federal law."

5. Page 1, line 25.

Strike: "illegal"

Insert: "unauthorized"

6. Page 1, line 26.

Following: "not"

Strike: "employ or contract with"

7. Page 1, line 27 through page 2, line 2.

Following: "agency," on line 27

Strike: remainder of line 27 through page 2, line 2

Insert: "knowingly employ or contract with:

(a) an unauthorized alien, as defined in 8 U.S.C.
1324a(h) (3), or with a person whom the contractor or

subcontractor should have known was an unauthorized alien; or

(b) another person who knowingly employs an unauthorized

alien or a person whom the employer or contractor should have known was an unauthorized alien.

(2) A person who contracts with a public agency or the subcontractor of a person who contracts with a public agency who violated subsection (1) is in material breach of the contract. In the event of a breach, the public agency may pursue all legal contract remedies, including but not limited to terminating the contract or subcontract. In addition, the public agency may prohibit the contractor or subcontractor from bidding on a contract or contracting with the public agency for a period not to exceed 3 years.

(3) A contract of a public agency must expressly state the requirements of this section."

8. Page 2, line 4.

Strike: "illegal"

Insert: "unauthorized"

Strike: "-- void contract"

9. Page 2, line 5.

Following: "An"

Insert: "unauthorized"

Following: "alien"

Strike: remainder of line 5 through "deportable"

Insert: ", as defined in 8 U.S.C. 1324 a(h)(3),"

10. Page 2, line 9.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

- END -